## DrinkerBiddle&Reath

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Law Offices

1500 K Street, N.W. Washington, DC 20005-1209

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202-842-8800 phone 202-842-8465 fax www.drinkerbiddle.com

> CALIFORNIA DELAWARE ILLINOIS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON DC WISCONSIN

October 18, 2013

ACCEPTED/FILED

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Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, SW Room TW-A325 Washington, D.C. 20554

Federal Communications Commission Office of the Secretary

Station WYDC(DT), Corning, New York (FIN: 62219) Re:

Streamlined Financial Hardship Waiver Request Extension

MM Docket 11-93

Dear Ms. Dortch:

On behalf of WYDC, Inc. ("WYDC"), licensee of Station WYDC(DT), Corning, New York (the "Station"), by this letter, WYDC hereby requests an additional one-year delay of the effective date of the rules implementing the Commercial Advertisement Loudness Mitigation Act (the "Act") pursuant to the "financial hardship" exemption set forth in Paragraphs 52 and 53 of the FCC's Report and Order in Implementation of the Commercial Loudness Mitigation (CALM) Act, 26 FCC Rcd 17222 (2011) (the "Order"). This request was due to be filed on October 1, 2013. However, in accordance with Revised Filing Deadlines Following Resumption of Normal Commission Operations, Public Notice, rel. October 17, 2013, the deadline for the filing of this request was extended until October 22, 2013. Because this request is being filed prior to that extended deadline, this request is timely filed.

An additional one year renewal of this waiver is warranted because: (1) WYDC continues to meet the Commission's definition of a "small broadcast station;" and (2) financial circumstances continue to prevent WYDC from obtaining the necessary and specified equipment to comply with the CALM Act requirements. See Order at note 228. The Station is located in the Elmira (Corning), New York television market, which is the 174th largest market according to The Nielsen Company. Accordingly, the Station is a "small broadcast station," as defined by Paragraph 53 of the Order.

Attached hereto in support of this waiver request is a Certification from the President of WYDC setting forth the information requested by the Commission in Paragraph 53 of the Order.

Please address any questions concerning this request to the undersigned.

Mark B. Denbo

Established 1849

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## **CERTIFICATION**

- I, William Christian, the President of WYDC, Inc., the licensee of WYDC(DT), Corning, New York, hereby certify under penalty of perjury that the following is true and correct, based on information and belief:
  - 1. WYDC(DT) is located in the Elmira (Corning), NY television market.
- 2. WYDC seeks a renewal of the waiver to obtain the specified equipment in order to avoid the financial hardship that would be imposed if it were required to obtain the equipment sooner. WYDC intends to acquire the following equipment in order to comply with the requirements of the CALM Act: Linear Acoustics AERO.air Transmission Audio Loudness Manager.
- 3. Financial circumstances continue to prevent WYDC from obtaining the necessary and specified equipment to comply with the CALM Act requirements. There have been no positive changes to the financial outlook of WYDC since October 2012, when the initial waiver request was filed. Nevertheless, WYDC intends to acquire the necessary equipment within the next twelve months.

William Christian

President

WYDC, Inc.

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